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Entomologische Notiz

The name ‡*Rueckbeilia* is unpublished, unavailable and invalid for nomenclatural purposes presently, and it is an example of incorrect usage of the new Code Amendments especially by publisher and in online resources

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In 2012 (actually 10. ix. 2012, as stated in the journal website of the print journal "Cladistics"), an electronic prepublication in advance of the print version of a paper was made available to the readers. This prepublication (Talavera et al. 2012) is intended to be published in print within the printed version of "Cladistics" at some later time. It contains the description of a new name in the genus-group of a blue butterfly (Lycaenidae), ‡*Rueckbeilia*.

Immediately after this, this name started to be used in several online databases (especially those containing DNA sequence data), with the authorship and publication date stated in the prepublication (for example: UniProt 2013, Comparative Toxicogenomic Database 2013, Immune Epitope Database and Analysis Resource 2013, and many others), and an empty page is already created even in the Wikspecies (2013) website. This name has also been cited and discussed with this publication date 2012 in many entomological internet forums.

Regrettably, the nomenclatural act of erecting this new genus-group name has not been validly published and made available under the ruling of the Code so far. The rules of Article 8.5.3 of the Code about electronic publications (ICZN 2012) have not been satisfied: the work containing the description of ‡*Rueckbeilia* was not registered in ZooBank before the prepublished electronic version was available An electronic prepublication from a print journal alone does not fulfill the requirements until it is physically published in print on paper. This means that the genus-group name ‡*Rueckbeilia* does not exist for the purpose of zoological nomenclature until now.

It is important here for nomenclature purposes to clearly distuinguish between entirely "electronic-only" publications (of which no printed version is generally existing, except someone prints the HTML or PDF file for his private use) and prepublications of print journals (which become available only when the print ver-

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sion is published). According to article 21.8.3 (ICZN 2012), works accessible online in preliminary versions before the publication date of the final printed version are not publications under the Code. Such advance electronic access does not advance the date of publication of a work, as preliminary versions are not published (Article 9.9).

The Code Amendments of ICZN (2012) require (besides some further regulations) in Article 8.5 the following details for a valid and available publication of nomenclatural acts in purely electronic journals:

> "Article 8.5. **Works issued and distributed electronically.** To be considered published, a work issued and distributed electronically must
>
> 8.5.1. have been issued after 2011,
>
> 8.5.2. state the date of publication in the work itself, and
>
> 8.5.3. be registered in the *Official Register of Zoological Nomenclature* (ZooBank) (see Article 78.2.4) and contain evidence in the work itself that such registration has occurred.
>
> 8.5.3.1. The entry in the *Official Register of Zoological Nomenclature* must give the name and Internet address of an organization other than the publisher that is intended to permanently archive the work in a manner that preserves the content and layout, and is capable of doing so. This information is not required to appear in the work itself.
>
> 8.5.3.2. The entry in the *Official Register of Zoological Nomenclature* must give an ISBN for the work or an ISSN for the journal containing the work. The number is not required to appear in the work itself.
>
> 8.5.3.3. An error in stating the evidence of registration does not make a work unavailable, provided that the work can be unambiguously associated with a record created in the *Official Register of Zoological Nomenclature* before the work was published."

Further important consequences from this last subarticle are shown in the associated Examples (Italics mine):

> "... The following are examples of *inadmissible errors:* An author, in preparing a manuscript for publication, states that day's date for the registration date, intending to register it later that day but forgetting to do so. The author discovers the omission after the work is published and immediately registers it; because registration occurred after publication, the work is not available. A publisher discovers errors in a work and reissues it to correct those errors, but instead of registering the new edition, uses the original ZooBank number; the revised edition is not available because it was not separately registered."

The registration in the online database of the Official Register of Zoological Nomenclature (Art. 8.5.3) comprises, besides other, the registration details LSID and registration number which must be stated in the work itself. ZooBank has been established by Art. 78.2.4 of the Code (ICZN 2012).

One of my friends called this name "an electronic ghost", and he is completely right. As long as this unpublished name is not being used in another printed publication, which might, circumstances permitting, produce an invalid *nomen nudum* and further complicating the case (when published only in web-based databases or websites it is as well unpublished for nomenclatural purpose), it is not available. So the following disclaimer for the present printed communication is necessary: in this present paper I use the name ‡*Rueckbeilia* not for nomenclatural purpose, thereby not intending to produce a *nomen nudum*. In addition, this is also indicated by the 'double dagger' (‡) before the name following standard usage of this symbol in several printed Lepidoptera catalogues (meaning "unpublished, unavailable and/or invalid").

The journal "Cladistics" should, to avoid such mess in future, be recommended to use a disclaimer in any electronic preprint-versions of papers potentially containing nomenclatural acts, as it is done correctly in some other journals. This disclaimer should just contain the basic information that "any nomenclatural acts in the present paper are unpublished until the printed version of the article is published" or similar. The authors are not to be blamed in this situation, as they cannot decide when the print-version is going to be published (this is decided by the publisher only). However, if they have introduced their new, but still unpublished name into any databases *by themselves,* they also followed this mistake. Further, online databases and similar internet resources should be urged to respect the Code (ICZN 1999, 2012) and do not use unpublished nomenclatural acts in their databases because this will evoke wrong information about publication dates and other details being widely disseminated (and, consequently, hardly to be corrected!). The consequences of such erroneous usage of unpublished information may be nomina nuda or even homonyms, which may have a negative effect for stability of zoological nomenclature.

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